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And Kim Thomas*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA, SOUTHERN DIVISION

SAID ELMAJZOUNB,

Plaintiff,

v.

SCOTT DAVIS, et al.,

Defendants.

Case No. 3:19-cv-00196-MMD-CSD

**ORDER TO CONTINUE ORAL
ARGUMENT AND BRIEFING
DEADLINES**

**[FIRST REQUEST FOR EXTENSION OF
ORAL ARGUMENT and RESPONSE TO
MOTION FOR ATTORNEY FEES]**

Defendants, Renee Baker, Tara Carpenter, Scott Davis, Marc La Fleur, And Kim Thomas (collectively, “Defendants”), by and through their Associate Counsel, Frank Toddre II, Esq. and Mandy Vogel of the law firm McCormick, Barstow, Sheppard, Wayte, and Carruth, LLP, and Plaintiff, Said Elmajzoub, by and through his counsel, CAIR Legal Defense Fund, Gadeir I. Abbas, Lena F. Masri, Justin Sadowsky, and Allen Lichtenstein, respectfully submit the following Stipulation and Order Continue Oral argument and Stay Briefing.

After the Settlement Conference on December 19, 2022, the parties continued to informally discuss potential settlement of the case. The parties had previously set forth a Stipulation to Extend the Joint Pretrial Order, which has since been granted.¹

¹ ECF No. 126 and 128.

1 In this regard, the parties continue to negotiate and in good faith express to this Court the
 2 parties have made significant progress in reaching a possible resolution of the matters but still have
 3 certain concerns to work through. The parties accordingly would request that the hearing for oral
 4 arguments set for on Plaintiff's Emergency Motion to Enforce,² currently set for February 6, 2023
 5 be **continued** to a date in early March while the parties continue their negotiations.

6 The parties submit this Stipulation would serve judicial economy, and would also conserve
 7 resources which would be allocated towards oral argument preparation and attendance.

8 The parties also note there is outstanding briefing and judicial decisions on the Defendants'
 9 Motion to Strike,³ which was filed addressing Plaintiff's Reply Brief in Support of their Motion for
 10 Contempt.⁴ The parties agree that a decision on that motion may be stayed until oral arguments
 11 occur.

12 Finally the Plaintiff has an outstanding Motion for Attorneys' Fees and Costs re: 1st
 13 Emergency Motion that is still pending.⁵ The response is currently due on February 3, 2023. The
 14 potential sanction findings for both the Motion for Contempt and this Motion for Attorneys' Fees
 15 are subject to negotiations and thus the parties would request that any ruling and briefing on this
 16 issue be continued as well. In this regard, the parties request that the response to the ECF No. 132
 17 Motion for Attorneys' Fees be continued thirty-one days as well to line up with the current Joint
 18 Pretrial Order.

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25 ² ECF No. 118, filed 12/21/22. The motion has been fully briefed.

26 ³ ECF No. 127.

27 ⁴ ECF No. 124.

28 ⁵ ECF No. 132.

As such, the parties stipulate and agree to extend to continue oral arguments on Plaintiff's Emergency Motion to Enforce from **February 6, 2023** until **early March** or a date convenient and available to the Court. Additionally the parties request that the Defendants response to Plaintiff's Motion for Attorneys' Fees be continued from **February 3, 2023** for thirty-one (31) days to **March 6, 2023**, which is the current deadline for the joint pretrial order.

DATED: February 1, 2023

DATED: February 1, 2023

By: /s/ Justin Sadowsky

By: /s/ Frank A. Toddre, II

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Based on the foregoing Stipulation of the parties, **IT IS ORDERED** as follows:

1) Oral Arguments regarding the Emergency Motion to Enforce shall be VACATED and CONTINUED from **February 6, 2023** until **early March** or a date convenient and available to the Court.

2) That any Court ruling on Defendants' Motion to Strike be continued until after oral arguments considered in the above paragraph.

3) The Defendants response to Plaintiff's Motion for Attorneys' Fees be continued from **February 3, 2023** for thirty-one (31) days to **March 6, 2023**.

IT IS SO ORDERED:


District Court Judge

DATED this 2nd day of February, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2023, a true and correct copy of **STIPULATION AND ORDER TO EXTEND THE DEADLINE FOR THE PARTIES TO FILE A PROPOSED JOINT PRETRIAL ORDER [FIRST REQUEST FOR EXTENSION OF JOINT PRETRIAL ORDER]** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Susan Kingsbury
an Employee of
McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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